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Raised Bill 5446
Public Hearing: 3-3-16

TO: MEMBERS OF THE INSURANCE AND REAL ESTATE COMMITTEE
FROM: CONNECTICUT TRIAL LAWYERS ASSOCIATION (CTLA)
DATE: MARCH 3, 2016

RE: SUPPORT OF 5446 AA REQUIRING CERTAIN LIQUOR PERMITTEES TO
PROCURE AND MAINTAIN LIQUOR LIABILITY INSURANCE

The CTLA supports raised bill 5446, and respectfully contends that the bill should be approved.

Everyone is aware of the dangers and tragedies caused by intoxicated drivers operating motor vehicles on the highways in the State of Connecticut. Positive steps have been taken by the legislature to reduce the danger and threat that drunk drivers pose to the citizens of our state. For many years C.G.S. Sec. 30-102 has required liability on a liquor seller who sells alcohol to a patron who is already in an intoxicated state and thereafter causes harm to someone else. The liability under that statute is \$250,000 in the aggregate; and there is a notice requirement that written notice must be given to a seller within 120 days of the occurrence. The one component of this admirable legislation that is absent is the requirement that the liquor seller be insured for the liability imposed by the statute. HB 5446 would require that a liquor seller maintain insurance in the amount required by the Dram Shop Act as a condition for the continuation or issuance of its permit from the Department of Consumer Protection. This proposal is tailored after the statute requiring insurance for the issuance of registration for a motor vehicle in this state.

It seems elementary that if the public policy of this state requires that automobile operators evidence proof of sufficient financial responsibility in order to operate a motor vehicle in Connecticut, then, by the same token, liquor sellers ought to be required to provide similar evidence of their financial responsibility to satisfy the obligations imposed upon them by our statutes.

The current scheme of recognizing liability but not the ability to meet that liability victimizes the injured and their families TWICE; once for the injury and property loss and second by sanctioning a system where a plaintiff may not receive fair and adequate compensation because of inadequate or non-existent coverage.

The CTLA would also like to note that this bill does not apply to non-profit organizations or package stores where liquor is sold for consumption off-premises.

WE URGE YOU TO SUPPORT THE SENSIBLE REQUIREMENTS OF HB5446. Thank you.